

BILL NO. S-92-01-37

SPECIAL ORDINANCE NO. S-35-92

AN ORDINANCE approving the awarding of Reference #1582 by the City of Fort Wayne, Indiana, by and through its Department of Purchasing and AKZO SALT INC. for the Street Department.

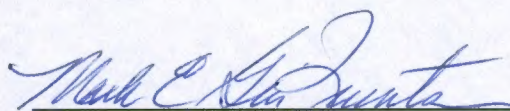
NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA;

SECTION 1. That Reference #1582 between the City of Fort Wayne, by and through its Department of Purchasing and AKZO SALT INC. for the Street Department, respectfully for:

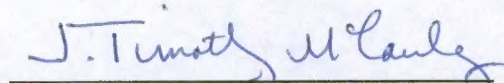
the purchase of rock salt during 1992 for the Street Department;

involving a total cost of Eighty-Nine Thousand and no/100+/- Dollars (\$89,000.00+/-), all as more particularly set forth in said Reference #1582 which is on file in the Office of the Department of Purchasing, and is by reference incorporated herein, made a part hereof, and is hereby in all things ratified, confirmed and approved.

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage and any and all necessary approval by the Mayor.


Council Member

APPROVED AS TO FORM
AND LEGALITY


J. Timothy McCaulay, City Attorney

REFERENCE NO.:	1582
DEPARTMENT:	STREET DEPT
DATE:	01/28/92
ITEM/SERVICE:	ROCK SALT
ADVERTISED BID:	YES
DATES ADVERTISED:	10/21/91 & 10/28/91
DATE OPENED:	11/14/91
WRITTEN QUOTE:	
DATE DUE:	
VERBAL QUOTE:	
SINGLE SOURCE:	
NO. OF VENDORS NOTIFIED:	9
NO. OF VENDORS RECEIVING BID:	4
NO. OF VENDORS RETURNING BID:	2
NO. OF VENDORS DISQUALIFIED:	0
NO. OF VENDORS NOT RESPONDING:	2
DATE SENT TO DEPT FOR RECOMM:	11/14/91
DATE RECOMM RECEIVED BACK:	01/08/92
DATE SENT TO LAW DEPARTMENT:	01/17/92
INTRODUCTION DATE:	1/28/92
DISCUSSION DATE:	2/4/92
PASSAGE DATE:	2/11/92

REFERENCE NO. 1582
ROCK SALT
STREET DEPARTMENT / VARIOUS DEPARTMENTS

DESCRIPTION/ITEM	AKZO SALT	MORTON
PER TON DELIVERED	\$30.95	\$33.95
PER TON PICKED-UP	\$29.00	\$31.00
LOCATION OF PICK UP	FT WAYNE	TOLEDO
TIME OF DELIVERY ARO	1-3 DAYS	3-5 DAYS

FRONT PAGE/INVITATION TO BID
DEPARTMENT OF PURCHASING
CITY OF FORT WAYNE, ALLEN COUNTY, INDIANA
ONE MAIN STREET - ROOM 350
PHONE 219-427-1101

BID OPENING DATE 11-14-91 @ 11:00 AM BID REFERENCE # 1582

SEALED BIDS SHOULD BE DELIVERED TO DEPARTMENT OF PURCHASING, ROOM 350, CITY-COUNTY BUILDING UP TO 11:00 A.M. ON OR BEFORE OPENING DATE.

SEALED BIDS WILL BE OPENED PUBLICLY AT 11:01 A.M. IN THE BOARD OF WORKS & SAFETY CONFERENCE ROOM ON THE THIRD FLOOR OF THE CITY-COUNTY BUILDING. "NO LATE BIDS WILL BE ACCEPTED AFTER 11:00 A.M. FOR ANY REASON WHATSOEVER".

THIS INVITATION FOR BID IS FOR TYPE 1 BULK ROCK SALT (COARSE-CRUSHED SODIUM CHLORIDE) TO BE PURCHASED AS REQUIRED FOR THE FORT WAYNE STREET DEPT FOR 1992 AND REQUESTED BY CITY OF FORT WAYNE STREET DEPT

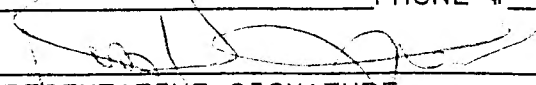
THIS BID REQUIRES A XXXX \$500.00 BID BOND, CERTIFIED OR CASHIER'S CHECK OF ALL BIDDERS.

THIS BID REQUIRES A _____ 100% PERFORMANCE BOND OF SUCCESSFUL BIDDER(S).

PROMPT PAYMENT DISCOUNTS WILL BE ALLOWED AS FOLLOWS: NONE % IF PAID WITHIN _____ DAYS. TERMS: Net 30 days

THIS INVITATION IS ISSUED TO ESTABLISH A CONTRACT TO SUPPLY THE CITY OF FORT WAYNE WITH A COMMODITY OR SERVICE IN ACCORDANCE WITH ACCOMPANYING SPECIFICATIONS.

THE EXECUTION HEREOF BY THE BIDDER IS ACCEPTANCE OF ALL TERMS AND CONDITIONS HEREIN AND IN THAT REGARD THE BIDDER AGREES TO BE BOUND BY SAME AND BE BOUND TO THE AMOUNT OF HIS/HER BID FOR A PERIOD OF NINETY (90) DAYS.

FIRM NAME Akzo Salt Inc.
STREET ADDRESS Abington Exec. Park, P. O. Box 352
CITY Clarks Summit, PA 18411 PHONE # 1-800-752-7258
BY 
REPRESENTATIVE SIGNATURE
ROBERT H. JONES, Vice Pres.-Bidding & Marketing

CITY OF FORT WAYNE
SALT REQUIREMENTS

THE CITY OF FORT WAYNE, INDIANA, IS REQUESTING BIDS FOR THE PURCHASE OF TYPE 1 BULK ROCK SALT, COARSE-CRUSHED SODIUM CHLORIDE - TO BE USED FOR ICE AND SNOW REMOVAL AND CONTROL WHICH SHALL BE CHEMICALLY TREATED TO PREVENT HARDENING.

PRICES BID SHALL BE FOR A MINIMUM OF 20-21 TONS PER LOAD DELIVERED TO ANY LOCATION IN FORT WAYNE, INDIANA, VIA INSTRUCTIONS FROM THE STREET COMMISSIONER, BOARD OF PUBLIC WORKS OR THE DIRECTOR OF PURCHASING.

PRICES BID MUST BE EXACT AND HELD FIRM THROUGH THE TERM OF THE AGREEMENT. THERE SHALL BE NO ADDITIONAL CHARGES FOR DELIVERY, HANDLING OR ANY OTHER MISC FEES.

THE ANNUAL REQUIREMENTS FOR BULK ROCK SALT ARE ESTIMATES ONLY. ACTUAL QUANTITIES PURCHASED MAY BE MORE OR LESS.

TERM OF AGREEMENT: DECEMBER 31, 1992

ESTIMATED TONS:	30000 +/-
PRICE PER TON DELIVERED:	\$ <u>30.95</u> Min. truckload - 21 tons
PRICE PER TON PICKED-UP:	\$ <u>29.00</u> Min. pick up - 5 tons
LOCATION OF PICK UP:	<u>Fort Wayne, Indiana</u>
TIME OF DELIVERY OF EACH ORDER:	<u>1 to 3 days ARO</u>
TERMS:	<u>Net 30 days from shipment.</u>

(PLEASE REFER TO ATTACHED ADDENDUM FOR ADDITIONAL INFORMATION)

AKZO SALT INC.

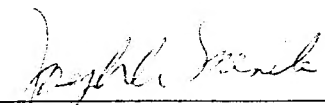
CERTIFIED RESOLUTION

I, the undersigned, Assistant Secretary of Akzo Salt Inc., a corporation duly organized and existing under the laws of the State of New Jersey and having its principal place of business in Clarks Summit, Pennsylvania, hereby certify that the following is a true copy of a certain resolution duly adopted by the Board of Directors of said corporation in accordance with its By-laws, and recorded in the minutes on May 15, 1985 and not subsequently rescinded or modified:

RESOLVED, that the President, all Senior Vice Presidents, Vice Presidents, Directors, Secretary, Assistant Secretary, Manager Divisional Planning and Logistics, Regional Highway Managers and Highway Territory Managers of this Company, or any of them, be and they hereby are authorized to execute on behalf of this Company all documents required for or incident to this Company's offer to sell to states, commonwealths, municipalities and governmental entities, rock salt for ice control purposes, the foregoing authority to continue until and unless specifically modified or withdrawn by the Board of Directors of this Company.

IN WITNESS WHEREOF, I have hereunto subscribed my name and the Company seal of said corporation this 12th day of May, 19 85.

(Corporate Seal)



Joseph C. Menik
Assistant Secretary

Akzo Salt Inc.

Abington Executive Park • PO Box 352 • Clarks Summit, PA 18411-0352
717/587-5131

STANDARD SPECIFICATION FOR SODIUM CHLORIDE ASTM-D 632-84

This specification supersedes ASTM-D 632-72

1. SCOPE

This specification covers sodium chloride intended for use as a deicer and for road construction or maintenance purposes.

2. CLASSIFICATION

This specification covers sodium chloride obtained from natural deposits (rock salt) or produced by man (evaporated, solar, other) and recognizes two types and two grades as follows:

Type 1 - Used primarily as a pavement deicer or in aggregate stabilization.

Grade 1 - Standard gradation (Note 1).

Grade 2 - Special gradation (Note 2).

Type II- Used in aggregate stabilization or for purposes other than deicing.

Note 1 - Grade 1 provides a particle grading for general application, and found by latest research to be most effective for ice control and skid resistance under most conditon. Grade 2 is the grading typical of salt produced in the Western U.S. and available in states of the Rocky Mountain Region and west which may be preferred by purchasers in that area.

3. CHEMICAL REQUIREMENTS

The sodium chloride shall conform to the following requirements as to chemical composition:

Sodium chloride (NaCl), min,%. 95.0

4. PHYSICAL REQUIREMENTS

Grading:

Type I - The gradation of Type I sodium chloride, when tested by means of laboratory sieves, shall conform to the following requirements for particle size distribution:

<u>Sieve Size</u>	<u>Weight Percent Passing</u>	
	<u>Grade 1</u>	<u>Grade 2</u>
3/4 in. (19.05 mm)	--	100
1/2 in. (12.70 mm)	100	--
3/8 in. (9.51 mm)	95 - 100	--
No. 4 (4.76 mm)	20 - 90	20 - 100
No. 8 (2.38 mm)	10 - 60	10 - 60
No. 30 (0.595 mm)	0 - 15	0 - 15

Type II - The gradation of Type II sodium chloride shall conform to grading requirements imposed or permitted by the purchaser under conditions of the intended use.

5. PERMISSIBLE VARIATIONS

In the case of sodium chloride sampled after delivery to the purchaser, tolerances from the foregoing specified values shall be allowed as follows:

Gradation - 5.0 percentage points on each sieve size, except the $\frac{1}{2}$ in. (12.5 mm) and 3/8 in. (9.5 mm) for Grade 1 and 3/4 in. (19.0 mm) for Grade 2.

Chemical Composition - 0.5 percentage point.

6. CONDITION

The sodium chloride shall arrive at the purchaser's delivery point in a free-flowing and usable condition.

7. SAMPLING

Not less than three sample increments shall be selected at random from the lot (Note 2). Each increment shall be obtained by scraping aside the top layer of material to a depth of at least 1 in. (25mm) and taking a 1-lb. (approximately 454-g) quantity of sodium chloride to a depth of at least 6 in. (152 mm). Sampling shall be done by means of a sampling thief or other method which will assure a representative cross section of the material. The sample increments shall be thoroughly mixed to constitute a composite sample representative of the lot.

NOTE 2 - A lot shall be an amount agreed upon between purchaser and supplier at the time of purchase.

8. TEST METHODS

(a) Chemical Test - Test for compliance with the requirements for chemical composition in accordance with the following methods:

1. Routine Control - The "Rapid Method" provided in Annex A-1 may be used for routine control and approval.
2. Referee Testing - In case of controversy, determine analysis in accordance with Methods E 534.

Gradation shall be determined by Method C 136.

9. INSPECTION

The purchaser or his representative shall be provided free entry and necessary facilities at the production plant or storage area if he elects to sample sodium chloride at the source.

10. REJECTION AND REHEARING

- (a) The sodium chloride shall be rejected if it fails to conform to any of the requirements of this specification.
- (b) In the case of failure to meet the requirements on the basis of an initial sample of a lot represented, two additional samples shall be taken from the lot and tested. If both additional samples meet the requirements, the lot shall be accepted.

11. PACKAGING AND MARKING

The sodium chloride shall be delivered in bags or other containers acceptable to the purchaser, or in bulk lots. The name of the producer and the net weight shall be legibly marked on each bag or container, or, in the case of bulk lots, on the shipping or delivery report.

ANNEX
MANDATORY INFORMATION
RAPID TEST METHOD FOR SODIUM CHLORIDE

The following rapid test method may be used for routine control of the sodium chloride content instead of the referee method prescribed in Section 8.

1. **SAMPLE** - The composite sample obtained under Section 7 shall be thoroughly mixed and reduced by quartering or by means of sample splitter to approximately 1-lb. (454-g). This 1-lb. composite sample shall be ground to pass the No. 50 (300 mm) sieve.
2. **PROCEDURE** - Weigh out 10 ± 0.01 -g of the pulverized sample and place in a beaker with 250-ml distilled water. Add 10-ml of nitric acid (HNO_3 , 1 + 4 by volume) and stir for 20 min. at room temperature to put the salt in solution. Transfer the solution including any insoluble material to a 2-liter volumetric flask and dilute to the mark with distilled water. With a pipet draw off 25-ml of the solution and place in a white porcelain casserole. Add $\frac{1}{2}$ -g of calcium carbonate (CaCO_3) to neutralize the excess HNO_3 , and adjust the pH to approximately 7. Add 3-ml of potassium chromate (K_2CrO_4) solution (50-g K_2CrO_4 /liter) as an indicator and titrate with 0.05 N silver nitrate (AgNO_3) solution.
3. **STANDARDIZATION** - Standardize the 0.05 N AgNO_3 solution using 10 g of reagent grade sodium chloride (NaCl) following the applicable procedure.
4. **CALCULATION** - Calculate the percentage of NaCl as follows:

NOTE: $P = [(A/B) \times (C/D)] \times 100$

WHERE: A= grams of reagent grade NaCl used.
B= millilitres of 0.5 N AgNO_3 solution, required to titrate the reagent grade NaCl .
C= millilitres of 0.5 N AgNO_3 solution, required to titrate the sample being tested.
D= grams of test sample used, and
P= percentage of sodium chloride in the sample being tested.

If moisture is apparent in the sample, dry a duplicate 10-g sample of the pulverized salt at 105°C (220°F) and correct the weight of the sample accordingly.

NOTE: Because total chlorides are precipitated in the titration, magnesium chloride (MgCl_2) and calcium chloride (CaCl_2) would be included as sodium chloride.

5. **PRECISION** - Duplicate samples should check within 0.25 percent (NaCl).

BID, OFFER OR PROPOSAL FOR SALE OR LEASE OF MATERIALS

(Defined at I.C. 36-1-2-9.5)
(Please type or print)

Date: 11/12/91
 1. Governmental Unit: CITY FORT WAYNE, INDIANA
 2. County: ALLEN
 3. Bidder (Firm): Akzo Salt Inc.
 Address: P. O. Box 352
 City/State: Clarks Summit, PA 18411-0352
 4. Telephone Number: 1-800-752-7258
 5. Agent of Bidder (if applicable): ROBERT H. JONES

Pursuant to notices given, the undersigned offers bid(s) to CITY FORT WAYNE, INDIANA (Governmental Unit) in accordance with the following attachment(s) which specify the class or item number or description, quantity, unit, unit price and total amount.

The contract will be awarded by classes or items, in accordance with specifications. Any changes or alterations in the items specified will render such bid void as to that class or item. Bidder promises that he has not offered nor received a less price than the price stated in his bid for the materials included in said bid. Bidder further agrees that he will not withdraw his bid from the office in which it is filed. A certified check or bond shall be filed with each bid if required, and liability for breach shall be enforceable upon the contract, the bond or certified check or both as the case may be.

Signature of Bidder or Agent

ROBERT H. JONES, Vice Pres.-Bidding & Marketing

BID OFFER OR PROPOSAL

Attach separate sheet listing each item bid based on specifications published by governing body. Following is an example of the bid format:

Class or Item	Quantity	Unit	Description	Unit Price	Amount

(PLEASE REFER TO ATTACHED ADDENDUM FOR THIS INFORMATION)

NON-COLLUSION AFFIDAVIT

STATE OF ~~INDIANA~~ PENNSYLVANIA
 LACKAWANNA) SS:
 COUNTY)

The undersigned bidder or agent, being duly sworn on oath, says that he has not, nor has any other member, representative, or agent of the firm, company, corporation or partnership represented by him, entered into any combination, collusion or agreement with any person relative to the price to be bid by anyone at such letting nor to prevent any person from bidding nor to induce anyone to refrain from bidding, and that this bid is made without reference to any other bid and without any agreement, understanding or combination with any other person in reference to such bidding.

He further says that no person or persons, firms, or corporation has, have or will receive directly or indirectly, any rebate, fee, gift, commission or thing of value on account of such sale.

Akzo Salt Inc.

Bidder (Firm)

Signature of Bidder or Agent

ROBERT H. JONES, Vi
Pres.-Bidding &
MarketingSubscribed and sworn to before me this 12th day of Nov., 1991.

My Commission Expires: 9/23/93
 County of Residence: Lackawanna

Notary Public

BARBARA A. HENSHAW
 Notary Public Printed Name

ACCEPTANCE

There now being sufficient unobligated appropriated funds available, the contracting authority of (Governmental Unit) hereby accepts the terms of the attached bid for classes or items numbered _____ and promises to pay the undersigned bidder upon delivery the price quoted for the materials stipulated in said bid.

Contracting Authority Members:

Date: _____

NOTARIAL SEAL

BARBARA A. HENSHAW; Notary Public
 S. Abington Township, Lackawanna County PA
 My Commission Expires Sept. 23, 1993

Read the first time in full and on motion by Dur,
seconded by Edmonds, and duly adopted, read the second time by
title and referred to the Committee on Finance (and the
City Plan Commission for recommendation) and Public Hearing to be held after
due legal notice, at the Common Council Conference Room 128, City-County
Building, Fort Wayne, Indiana, on _____, the _____, day
of _____, 19____, at _____ o'clock _____ M., E.S.T.

DATED: 1-28-92

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Read the third time in full and on motion by Gia-Quinta,
seconded by Edmonds, and duly adopted, placed on its passage.
PASSED LOST by the following vote:

	AYES	NAYS	ABSTAINED	ABSENT
TOTAL VOTES	8			1
BRADBURY	✓			
EDMONDS	✓			
GiaQUINTA	✓			
HENRY	✓			
LONG	✓			
LUNSEY	✓			
RAVINE				✓
SCHMIDT	✓			
TALARICO	✓			

DATED: 2-11-92

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne,
Indiana, as (~~AMENDATION~~) (~~APPROPRIATION~~) (~~GENERAL~~)
(SPECIAL) (~~ZONING~~) ORDINANCE ~~RESOLUTION~~ NO. 5-3592
on the 11th day of Feb, 1992

ATTEST:

(SEAL)

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Thomas E. Henry
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on
the 13th day of Feb, 1992,
at the hour of 11:30 o'clock A, M., E.S.T.

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Approved and signed by me this 20th day of February,
1992, at the hour of 8:30 o'clock A M., E.S.T.

PAUL HELMKE
PAUL HELMKE, MAYOR

BILL NO. S-92-01-37

REPORT OF THE COMMITTEE ON FINANCE

MARK E. GIAQUINTA, CHAIRMAN
CLETUS R. EDMONDS, VICE CHAIRMAN
LUNSEY, LONG, RAVINE

WE, YOUR COMMITTEE ON FINANCE TO WHOM
WAS REFERRED AN (ORDINANCE) (~~RESOLUTION~~) approving the
awarding of Reference #1582 by the City of Fort Wayne, Indiana,
by and through its Department of Purchasing and AKZO SALT INC.
for the Street Department

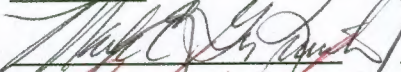
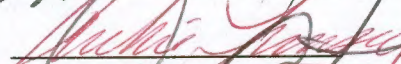
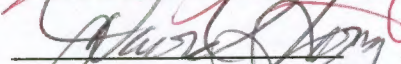
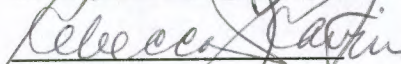


HAVE HAD SAID (ORDINANCE) (~~RESOLUTION~~) UNDER CONSIDERATION
AND BEG LEAVE TO REPORT BACK TO THE COMMON COUNCIL THAT SAID
(ORDINANCE) (~~RESOLUTION~~)

DO PASS

DO NOT PASS

ABSTAIN

NO REC

DATED:

Sandra E. Kennedy
City Clerk

DIGEST SHEET

TITLE OF ORDINANCE: Special

DEPARTMENT REQUESTING ORDINANCE: Purchasing

SYNOPSIS OF ORDINANCE: An ordinance approving the award of Ref. No. 1582 for the purchase of rock salt for the Street Department for 1992. The cost reflects the lowest and most responsive of two (2) vendors.

IF NOT LOWEST, WHO WAS AND WHY WERE THEY NOT AWARDED:

EFFECT OF PASSAGE: Salt is used by the Street Department to reduce hazardous conditions created by snow and ice.

IF REPLACEMENT, WHAT NECESSITATES:

EFFECT ON NON-PASSAGE: Would not be able to salt streets to improve driving conditions during inclement weather.

PRIOR APPROVAL REQUESTED: NO DATE:

MONIES INVOLVED: Akzo Salt Inc. \$89000.00+/-

PRICE AGREEMENT: YES PURCHASE ORDER:

ACCOUNT INFORMATION: Street Dept 128-128-1201-4274

2-92-01-27